

### REMARKS

Applicants appreciate the Examiner's decision to re-open prosecution thorough examination of the present application as evidenced by the Office Action of June 29, 2005 (hereinafter "Office Action"). In response, Applicants have amended independent Claims 1, 33, and 57 by incorporating the recitations of dependent Claims 5, 43, and 60, respectively to clarify that the one or more bookmarks in the voice mail message may be used to divide segments of the voice mail message according to degrees of importance. Dependent Claims 5, 43, and 60 have been canceled without prejudice or disclaimer and various claims have been amended to correct their dependencies in light of the cancellation of dependent Claims 5, 43, and 60. Applicants respectfully submit that the cited references fail to disclose or suggest, among other things, all of the recitations of independent Claims 1, 33, and 57, as amended. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

#### **Independent Claims 1, 33, and 57 Are Patentable**

Independent Claims 1, 33, and 57 along with dependent Claims 5, 43, and 60 stand rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 5,943,402 to Hamel et al. (hereinafter "Hamel"). (Office Action, page 2). Independent Claims 1, 33, and 57 are directed to a method, a system, and a computer program product and have been amended to incorporate the recitations of dependent Claims 5, 43, and 60, respectively. For example, independent Claim 1 recites:

providing at least one bookmark for a voice mail message by a caller  
leaving the voice mail message;  
wherein at least one bookmark is used to mark one or more segments of  
the voice mail message as having one or more different degrees of importance.

Claims 33 and 57 include similar recitations. Thus, according to the independent claims, a caller leaving a voice mail message may provide one or more bookmarks of which at least one of the bookmark(s) is used to mark one or more segments of the voice mail message according to degree(s) of importance.

The Office Action cites col. 8, lines 35 – 67 of Hamel as disclosing this aspect of the present invention. (Office Action, page 3). Applicants respectfully disagree with this interpretation of the teachings of Hamel. The passage of Hamel cited in the Office Action as allegedly disclosing the recitations of Claims 5, 43, and 60 describes an example in which a subscriber elects to send a voice mail message in which various acoustic bullets are used to divide the message into segments including one bullet that is used to separate the original message from new comments (segment 418a). (Hamel, col. 8, lines 46 – 64). The Office Action states that, according to Hamel, using an acoustic bullet to define a segment indicates that the segment is important. (Office Action, page 3). Applicants, however, can find no discussion in Hamel that the acoustic bullets are used to indicate that one segment is more important than another segment or that a segment identified by an acoustic bullet is more important than portion(s) of the message that are not marked with an acoustic bullet. Applicants, therefore, respectfully submit that Hamel does not disclose or suggest using one or more bookmarks to mark one or more segments of a voice mail message according to degree(s) of importance as recited in independent Claims 1, 33, and 57, as amended.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 33, and 57 are patentable over Hamel, and that Claims 2 - 4, 6 - 32, 34 - 42, 44 - 56, and 58, 59, and 61 - 91 are patentable at least as they depend from an allowable claim.

#### **Various Dependent Claims are Separately Patentable**

As discussed above, dependent Claims 2 - 4, 6 - 32, 34 - 42, 44 - 56, and 58, 59, and 61 - 91 are patentable at least as they depend from patentable independent Claims 1, 33, and 57. Applicants further submit, however, that various dependent claims are separately patentable for at least the reasons discussed hereafter.

Dependent Claims 13, 45, and 70 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hamel. Applicants respectfully submit that Hamel does not appear to contain any disclosure with respect to using labels or markers to mark a segment of a voice mail message as protected or confidential. The Office Action alleges that the voice mail message described in Hamel is protected/confidential because no one else can retrieve it. Applicants can find no such

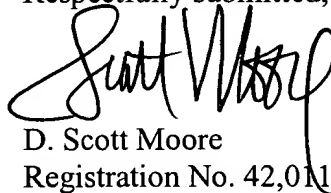
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description in Hamel that the voice mail message is protected/confidential. Moreover, even if the entire voice mail message in Hamel was limited to retrieval by only the intended recipient, Hamel contains no disclosure with respect to using bookmarks to identify segments of a voice mail message as protected or confidential. Accordingly, for at least the foregoing reasons, Applicants respectfully submit that dependent Claims 13, 45, and 70 are separately patentable over Hamel.

### CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



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